
CENTRAL LICENSING COMMITTEE, 09.03.15

Present: Councillor Eryl Jones-Williams (Chairman)

Councillors Annwen Hughes, Louise Hughes, Llywarch Bowen Jones, W.Tudor Owen, Peter Read, Angela Russell, Ann Williams and Elfed W Williams

Also in attendance: Siôn Huws (Senior Solicitor), Sheryl Le Bon Jones (Public Protection Manager) and Lowri Haf Evans (Member Support and Scrutiny Officer)

1. WELCOME AND APOLOGIES

The Chairman, Councillor Eryl Jones-Williams, welcomed everyone to the Committee. Apologies were received from Councillors Eddie Dogan and Dilwyn Lloyd.

Councillor Eryl Jones-Williams paid tribute to the late Councillor Huw Edwards, former chair of the Council, Vice-chair and loyal member of the Licensing Committees and Sub-committees. He sympathised with the family in their loss.

2. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

3. URGENT ITEMS

Concern was highlighted regarding the membership of a Councillor, who had a personal interest, on the Licensing Committees. It was noted that the matter had been highlighted in previous committees and disappointment was expressed that no action had been taken on the matter in the last six months. It was added that this concern was placing additional pressure on members of the Committee.

In response, the Chairman noted that the matter had been discussed with the Leader of the Independent Party, as it was the responsibility of the political parties to appoint an individual to a Committee - the seat was offered to the entire group.

In addition, it was noted that it was necessary to review the attendance of members in committees. It was necessary to ensure that each Councillor accepted that they had a responsibility to attend the committees that they were members of.

RESOLVED TO HIGHLIGHT THE ABOVE CONCERNS TO THE MONITORING OFFICER AND HEAD OF DEMOCRATIC SERVICES, THROUGH THE SOLICITOR.

4. MINUTES OF THE PREVIOUS MEETING

The Chairman signed the minutes of the previous meeting of this committee, held on 8 December 2015, as a true record.

5. MINUTES OF THE CENTRAL LICENSING SUB-COMMITTEES

Submitted - for information, the minutes of the Central Licensing Sub-committee meetings held on 08.12.2014 and 17.12.2014.

6. AMEND THE COUNCIL'S LICENSING POLICY

Submitted - a report by the Head of Regulatory Services highlighting the Home Secretary's recent guidelines regarding delegation levels, in respect of some licensing responsibilities under the Licensing Act 2003. It was noted that the delegation arrangements outlined in the latest guidelines confirmed the delegation arrangement for three additional matters.

It was recommended that the Committee approved amending chapter 12 of the Policy in accordance with Guidelines submitted by the Secretary of State.

Adopting the recommendation would mean that the Sub-committee would decide on an application to vary a premises licence in a community building to include another licensing condition if observations had been received from the Police, or such applications would be determined by Officers where no observations had been received from the Police.

Adopting the recommendation would mean that Officers would decide whether consultation with other responsible authorities should be sought on minor variations to applications. Officers would decide on minor variations to applications.

It was noted that the guidelines had been recommended in October 2014 and that they would come to power in Gwynedd on 10 March 2015.

RESOLVED TO APPROVE THE AMENDMENTS TO CHAPTER 12 OF THE POLICY IN LINE WITH THE GUIDELINES SUBMITTED BY THE SECRETARY OF STATE.

7. AMENDMENT TO THE LICENSING ACT 2003 - THE LEGISLATIVE REFORM (ENTERTAINMENT LICENSING) ORDER 2014

Submitted - a report by the Head of Regulatory Department for information, noting fairly significant changes to activities that were considered regulated entertainment. The Legislative Reform (Entertainment Licensing) Order would amend Schedule 1 and section 177A of the Licensing Act 2003 so that, in certain circumstances, there would be no need for regulated entertainment to be authorised by the Act. It was noted that the Legislative Reform Order would come into force on 6 April 2015.

Specific attention was drawn to the changes with a specific emphasis on paragraph 2.2 of the report which noted;

*'No licence is required between 8am and 11pm on any day, with no limit on audience size for any entertainment taking place on the **premises of the local authority** where the entertainment is provided by or on behalf of the local authority'*

It was explained that this included, for example, schools, leisure centres, museums, libraries, Caernarfon Square and Pencei Porthmadog (a total of 107 licences). It was noted that every school licence was 24 hours, and that the Education Department owned every licence.

It was suggested that the Licensing Department should contact the Education Department to inform them of the changes regarding the conditions (out of hours only) - it was not required to do this, but it was good practice. It was noted that there was potential to save £16k per year in licensing payments. A further request was made to write to the Economy and Community Department and to Community Councils to ensure that a consistent message was delivered to everyone.

Members appreciated the information and clear explanation.

RESOLVED FOR THE LICENSING DEPARTMENT TO INFORM THE EDUCATION DEPARTMENT, THE ECONOMY AND COMMUNITY DEPARTMENT AND COMMUNITY COUNCILS OF THE CHANGES AND THE CONDITIONS.

8. CLOSE CIRCUIT TELEVISION (CCTV)

A discussion was encouraged to gain the Committee's opinion on what could be done to ensure that CCTV conditions were being implemented. Following events in Barmouth where the Police had reported that the CCTV was not working, the need to monitor and penalise if the condition was not being implemented was discussed, as one of the Sub-committee's main principles was public protection.

It was highlighted that the Sub-committee had the right to impose conditions on licences, but that it did not have rights over Police operations. It was also highlighted that there were Enforcement Officers within the Licensing Unit, but no capacity to monitor each premises.

The members were reminded that if a condition was breached, the Councillors or the Police had the right to apply for a review of the licence.

Matters arising from the discussion:

- It was asked whether it would be possible to connect cameras with the Police's system
- The Committee believed that it would be a good idea for every premises to keep a practical log of checking their CCTV system
- A request was made for further information regarding what the Police's policy was in terms of monitoring CCTV

- A request was made for members of the Committee to receive a list of premises with CCTV
- That a notice was included with the condition of the implications if CCTV was not working on a premises

RESOLVED TO REQUEST INFORMATION FROM THE POLICE REGARDING THEIR CLOSE CIRCUIT TELEVISION MONITORING POLICY.

9. TRAINING

A session was held by the Senior Solicitor to update Members on their responsibilities for serving on licensing sub-committees.

The meeting commenced at 10.00am and concluded at 11.25am.